

Roll called. No quorum present, the following Senators answering to their names:

Burns.	Miller.
Davidson..	Odell.
Goss.	Potter.
Greer.	Ross.
Grinnan.	Terrell.
Hanger.	Turney.
James.	Wayland.
Kerr.	Yett.
Lloyd.	Yantis.

Absent.

Atlee.	Morriss.
Dibrell.	Neal.
Gough.	Patterson.
Johnson.	Sebastian.
Lewis.	Stafford.
Linn.	Stone.
McGee.	

Senator Yantis moved a call of the Senate for the purpose of securing a quorum.

Motion duly seconded, the following Senators answering to their names:

Burns.	Miller.
Davidson.	Odell.
Dibrell.	Potter.
Goss.	Ross.
Greer.	Terrell.
Grinnan.	Turney.
Hanger.	Wayland.
James.	Yantis.
Kerr.	Yett.
Lloyd.	

Absent.

Atlee.	Morriss.
Gough.	Neal.
Johnson.	Patterson.
Lewis.	Sebastian.
Linn.	Stafford.
McGee.	Stone.

Senator Odell moved that the Senate take a recess until tomorrow morning at 10 o'clock, without suspending the call.

Lost.

Senator Ross moved to adjourn until 9:45 o'clock tomorrow morning.

Lost.

Senator Ross moved that the Senate stand adjourned until 9:55 tomorrow morning.

Lost by the following vote:

Yeas—8.

Burns.	Odell.
Greer.	Ross.
Grinnan.	Wayland.
Kerr.	

Nays—10.

Davidson.	Lloyd.
Goss.	Miller.
James.	Potter.

Terrell.  
Turney.

Yantis.  
Yett.

Present—Not voting.

Hanger.

Absent.

Atlee.	Morriss.
Dibrell.	Neal.
Gough.	Patterson.
Johnson.	Sebastian.
Lewis.	Stafford.
Linn.	Stone.
McGee.	

Senator Davidson moved that the Senate take a recess until tomorrow morning at 9:50, without suspending the call.

Senator Yantis moved as a substitute that the Senate adjourn until tomorrow morning at 9:47½ o'clock.

The substitute was adopted, and the Senate adjourned.

SIXTY-NINTH DAY.

Senate Chamber,  
Austin, Texas, Tuesday, April 18, 1899.

Senate met pursuant to adjournment.  
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Burns.	McGee.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	Yett.
Lloyd.	

Absent.

Atlee.	Ross.
Johnson.	Sebastian.
Miller.	Stone.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending reading of the Journal of last Friday, Saturday and yesterday,

On motion of Senator Patterson, the same was dispensed with.

EXCUSED.

On motion of Senator Goss, Senators Stafford and Gough were excused for non-attendance upon the Senate yesterday on account of important business.

On motion of Senator Dibrell, Senator

Patterson was excused for non-attendance upon the Senate yesterday on account of important business.

On motion of Senator Potter, Senators Morriss and Neal were excused for non-attendance upon the Senate yesterday on account of important business.

On motion of Senator Neal, Senator McGee was excused for non-attendance upon the Senate yesterday on account of important business.

On motion of Senator Stafford, Senator Lewis was excused for non-attendance upon the Senate yesterday on account of important business.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, April 17, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Special Committee, to whom was referred

Senate bill No. 118, being a bill to be entitled "An Act to prohibit the officer, agent or representative of any railroad corporation from giving free transportation over the lines of such railroad to any person other than the agents, representatives, employes or attorneys of such railroads, and to fix a penalty for the violation of the provisions of this act,

Have had the same under consideration, and we beg leave to recommend that the accompanying substitute to be known as Substitute Senate bill No. 118, be passed in lieu of the original bill.

YANTIS, Chairman.

Substitute Senate bill No. 118, by Special Committee:

A bill to be entitled "An Act to prohibit the officer, agent or representative of any railroad corporation from giving free transportation over the lines of such railroad to any person other than the employes of such railroad, and to fix a penalty for the violation of the provisions of this act."

Be it enacted by the Legislature of the State of Texas:

Section 1. That it shall be unlawful for any officer, representative or agent of any railroad corporation in Texas to give to any person other than the employes of such railroad corporation any free pass or other free transportation over the line or lines of such railroad, without lawful consideration therefor. Any officer, agent or representative of any railroad corporation, who shall violate the provisions of this act shall be guilty of a misdemeanor, and shall, upon conviction therefor, be punished by a fine of not less than fifty dollars (\$50) nor more than one thousand dollars (\$1000).

Committee Room,

Austin, Texas, April 17, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 310, being a bill to be entitled "An Act to protect the pipes, conduits, meters and other appliances and machinery of gas companies,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

YANTIS, Chairman.

Committee Room,

Austin, Texas, April 17, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

House bill No. 712, being a bill to be entitled "An Act to amend Chapter 5, of Title CII, of the Revised Civil Statutes of 1895, so as to place San Patricio county under the provisions of said chapter, relating to the mode of preventing certain animals from running at large in the counties and subdivisions,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

YANTIS, Chairman.

#### MAJORITY REPORT.

Committee Room,

Austin, Texas, April 17, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: A majority of your Judiciary Committee No. 2, to whom was referred

Senate bill No. 324, being a bill to be entitled "An Act to amend Article 4900, Chapter 1, Title CI, relating to sheriffs and constables,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass.

YANTIS, Chairman.

#### MINORITY REPORT.

Committee Room,

Austin, Texas, April 17, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: A minority of your Judiciary Committee No. 2, to whom was referred

Senate bill No. 324, being a bill to be entitled "An Act to amend Article 4900,

Chapter 1, Title CI, relating to sheriffs and constables,"

Have had the same under consideration, and not being able to agree with the majority of said committee, beg leave to recommend that the same *do pass*.

ROSS.

Committee Room,  
Austin, Texas, April 17, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

House bill No. 740, being a bill to be entitled "An Act to amend Sections 2 and 5, of the Acts passed by the Twenty-sixth Legislature of the State of Texas, approved March 6, 1899, entitled 'An Act to restore and confer upon the County Court of Bexar county the civil and criminal jurisdiction heretofore belonging to the said court under the Constitution and general laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act, and declaring an emergency,'" "

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

YANTIS, Chairman.

Committee Room,  
Austin, Texas, April 18, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 320, being a bill to be entitled "An Act requiring the county commissioners court of any county, or city council of any incorporated city or town, in the State, to submit propositions for the issuance of bonds to a vote of the qualified tax-payers of such county or incorporated city or town, and to repeal the provisions of all city and town charters in conflict herewith," "

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Chairman.

Committee Room,  
Austin, Texas, April 17, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred

House bill No. 398, being a bill to be entitled "An Act to amend Sections 17, 27, 98 and 116, of an act incorporating

the city of Sherman, known as 'An Act to incorporate the city of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs,' passed by the Twenty-fourth Legislature, being Chapter 6 of the Special Acts of the said Legislature, and to add Sections 96a, 116a, 116b, 116c, 116d, 116e, 179a and 179b thereto,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, and further recommend that the bill be not printed.

MILLER, Chairman.

#### MAJORITY REPORT.

Committee Room,  
Austin, Texas, April 18, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: We, a majority of your Committee on Mining and Irrigation, to whom was referred

House bill No. 355, being a bill to be entitled "An Act to amend Article 3655, Chapter 1, Title LXXIX, Revised Civil Statutes of the State of Texas, relating to the contracting, hiring or leasing of State convicts by Board of Commissioners of the Penitentiaries to owners, lessees, managers or receivers of coal mines or collieries," "

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

GREER, Chairman.

#### MINORITY REPORT.

Committee Room,  
Austin, Texas, April 18, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: A minority of your Committee on Mining and Irrigation, to whom was referred

House bill No. 355, being a bill to be entitled "An Act to amend Article 3655, Chapter 1, Title LXXIX, Revised Civil Statutes of the State of Texas, relating to the contracting, hiring or leasing of State convicts by Board of Commissioners of the Penitentiaries to owners, lessees, managers or receivers of coal mines or collieries," "

Not being able to agree with the majority of the committee, beg leave to recommend that the bill *do pass* with the following amendment:

"Amend Section 1 of the bill by adding the following: 'Provided, said board of commissioners can hire or lease as profit-

ably said convicts for the purpose of working on farms, public roads or highways.'"

LLOYD.

#### COMMUNICATION.

The Chair laid before the Senate the following communication:

Little Rock, Ark., April 18, 1899.

*To the President of Senate and Members of General Assembly of Texas, Austin.*

The Senate of Arkansas sends greetings. Stand by your guns. Pass your anti-trust bill. The corporations will complain, but the people will rejoice.

M. J. MANNING,  
President of the Senate.

#### PETITIONS AND MEMORIALS.

By Senator Stafford:

Petition from citizens of Tyler, protesting against the passage of the anti-trust bill.

By Senator Stafford:

Petition from citizens of Wills Point, protesting against the passage of the anti-trust law.

The Lieutenant-Governor had read the following:

COPY OF A RESOLUTION PASSED AT A MEETING OF THE WESTERN TEXAS MEDICAL ASSOCIATION HELD IN SAN ANTONIO, TEXAS, MARCH 30, 1899.

Resolved, That the Western Texas Medical Association earnestly protests against the proposed bill, charging board to the officers of the asylums during their term of office, believing that it is against the best interests of the State, and of these institutions, and we respectfully request our representatives to oppose said bill in every way possible.

Attest:

WM. E. LUTER, M. D.,  
Secretary.

*To the Legislature of the State of Texas, Austin, Texas.*

By Senator Wayland:

Petition from citizens of Robertson county, asking that fire insurance companies be exempted from the operations of the proposed anti-trust law.

By Senator Wayland:

Petition from citizens of Wortham, asking that fire insurance companies be exempted from the operations of the proposed anti-trust law.

Senator Kerr sent to the Secretary's desk, and had read, a number of telegrams protesting against the passage of the proposed anti-trust law.

#### BILLS AND RESOLUTIONS.

By Senator Morriss:

Resolved, That 200 extra copies of the anti-trust bill be printed for the use of the Senate.

Resolution read a second time, and adopted.

By Senator Potter:

Whereas, It is apparent from past and present experience that the granting and amending of special charters for cities in this State of more than ten thousand inhabitants has taken, and will in all probability continue to take, much of the valuable time of the Legislature, and the continued growth of our towns is constantly increasing the number of such cities; and

Whereas, Many of such special charters and the amendments thereto for such cities contain many doubtful, not to say improper, provisions; and

Whereas, It is believed to be for the best interest of the people of this State, including such cities, that an amendment be added to the statutes of this State, providing by general statute the law to govern all cities of more than ten thousand inhabitants under the provisions of our Constitution in the same manner as is now provided by law for cities and towns of less than ten thousand inhabitants; therefore be it

Resolved, First, that the Senator from Webb (Atlee), the Senator from Harris (Burns), and the Senator from Jefferson (Greer), be and they are hereby appointed a committee, and requested to examine into the feasibility and legality of such legislation, and to prepare a bill covering the same, if such legislation can be had.

Second. In the event such committee should determine upon such legislation, and a Special Session of this Legislature is to be called by the Governor, such committee shall notify the Governor of their conclusion, and he is hereby requested to include said subject in his call for such session.

Resolution was read a second time.

(Senator Goss in the chair.)

By Senator Gough:

"Amend the resolution by adding the name of the Senator from Cooke, Senator Potter, to the committee."

Amendment adopted.

(Lieutenant-Governor Browning in the chair.)

By Senator Odell:

"Amend by adding the following: 'Provided, that it is the sense of the Senate that the right of local self-government should remain inviolate in the various municipalities affected; that there

should be no outside interference in the control of their local government and the policy of having the government appoint commissioners with plenary power to regulate, control or affect legislation or legislative action, and to select officers or agents to administer the law or for any purpose whatever, is expressly repudiated.'"

Senator Potter made the point of order that the amendment was not germane.

Not sustained.

Senator Yantis moved to table the amendment.

Tabled by the following vote:

Yeas—15.

Dibrell.	Morriss.
Goss.	Neal.
Gough.	Potter.
Greer.	Terrell.
Grinnan.	Wayland.
Hanger.	Yantis.
James.	Yett.
McGee.	

Nays—9.

Davidson.	Odell.
Kerr.	Patterson.
Lewis.	Stafford.
Linn.	Turney.
Lloyd.	

Absent.

Atlee.	Ross.
Burns.	Sebastian.
Johnson.	Stone.
Miller.	

The resolution was then adopted.

By Senator Greer:

Senate bill No. 325, A bill to be entitled "An Act to validate the incorporation of cities or towns of one thousand inhabitants or over, incorporated since March 23, 1897, which have heretofore attempted to be made under certain conditions, and to validate their acts done since date, which were authorized by law."

Read first time, and referred to the Committee on Towns and City Corporations.

By Senator Yett:

Senate bill No. 326, A bill to be entitled "An Act to amend Chapter 92, of the Revised Civil Statutes of the State of Texas, and to repeal Articles 4331, 4332, 4334, 4335 and 4336 thereof."

Read first time, and referred to the Committee on Public Health.

By Senator Davidson:

Resolved, That whereas, numerous telegrams from fire insurance people and business men of the State have been sent in to members of the Senate asking to

be heard on the pending anti-trust law, and

Whereas, a bill known as the anti-trust law has already been reported by a committee to the Senate; therefore, be it

Resolved, That there be appointed from among the members of the Senate, other than those who have introduced the bill, five Senators as a committee to hear all interests as to the proposed measure, and make a report of their findings on Friday morning, April 21st, after the morning call.

By Senator Potter:

"Amend by striking out 'Friday' and inserting 'Wednesday.'"

By Senator Hanger:

"Substitute for amendment:

"Strike out 'Friday' and insert 'next Monday.'"

The substitute was adopted by the following vote:

Yeas—16.

Dibrell.	Lewis.
Goss.	Linn.
Gough.	McGee.
Greer.	Patterson.
Grinnan.	Turney.
Hanger.	Wayland.
James.	Yantis.
Kerr.	Yett.

Nays—8.

Burns.	Neal.
Davidson.	Odell.
Lloyd.	Potter.
Morriss.	Terrell.

Absent.

Atlee.	Sebastian.
Johnson.	Stafford.
Miller.	Stone.
Ross.	

The amendment as substituted was adopted by the following vote:

Yeas—22.

Burns.	Linn.
Davidson.	Lloyd.
Dibrell.	McGee.
Goss.	Neal.
Gough.	Odell.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Turney.
James.	Wayland.
Kerr.	Yantis.
Lewis.	Yett.

Nays—3.

Morriss.	Terrell.
Potter.	

	Absent.
Atlee.	Ross.
Johnson.	Sebastian.
Miller.	Stone.

The resolution was then adopted.  
Call concluded.

#### EXECUTIVE COMMUNICATIONS.

Hon. N. A. Cravens, Private Secretary of the Governor, was announced by the Door-keeper, and after being duly received delivered the following communications from the Governor, which the Chair had read:

EXECUTIVE OFFICE,  
STATE OF TEXAS,

Austin, Texas, April 17, 1899.

*To the Honorable the Senate.*

The advice and consent of the Senate is asked to the appointment of R. C. Walker of Travis county, as a member of the board of trustees for the Blind Asylum, vice John O. Johnson, resigned; and of J. Bouldin Rector of Travis county, as a member of the board of trustees for the Deaf, Dumb and Blind Asylum for Colored Youths, vice V. L. Brooks, Jr., resigned.

JOSEPH D. SAYERS,  
Governor.

*To the Senate and House of Representatives.*

The attention of the Legislature is invited to the accompanying communication from the Honorable Guy M. Bryan.

The services of Stephen F. Austin were of such transcendent importance, and are so well known that reference to his labors in behalf of the early settlers of the State and in the cause of its independence is altogether unnecessary. He will live forever in our history as an enduring exemplar of all that is great in statesmanship, true in patriotism and pure in character.

I most heartily recommend to the favorable consideration of the Legislature the removal of his remains, and also those of his sister, to the capital of the State, and the erection of a suitable monument upon the spot where he may be buried.

JOSEPH D. SAYERS,  
Governor.

City of Austin, April 12, 1899.

*Gov. J. D. Sayers.*

DEAR SIR: I have read the communication of the mayor and aldermen of San Felipe de Austin to the Legislature of Texas to make an appropriation to place a monument over the remains of Stephen F. Austin at San Felipe, saying that if

the appropriation should be made, that the officials of San Felipe would go to the trouble and expense of removing the remains (with the consent of the relatives of Austin) from Peach Point, Brazoria county, the family burying ground, to San Felipe. My brother, W. Joel Bryan, and myself, nephews of Austin, are his nearest living relatives. Our mother, his sister (his only near relative), to whom he was devotedly attached, lies buried by his side, and we wish her to be removed and buried with her brother. If the government of Texas would remove Austin's remains and place them in a plain, inexpensive tomb, like the Washington tomb at Mount Vernon, at an appropriate place near to and in front of the walls of the capitol of Texas, it would meet my hearty approval, and I am sure would meet the approval of my brother.

While appreciating the sentiment and appropriateness of the feelings and suggestions of the officials of San Felipe, I think that the proper place for the remains of Stephen F. Austin is at the capital and in the city of Austin.

The remains of Austin now are in a private graveyard on a farm in the country, and when the heads of the family who now attend to the same pass away, this graveyard is liable to be neglected, and may in a few years be turned into the field or the common pasture.

Under the circumstances, I respectfully petition you to take charge of this matter, and as Governor of Texas see to it that the remains of the founder and father of Texas be properly cared for as I have petitioned.

Your obedient servant, etc.,  
(Signed) GUY M. BRYAN.

#### HOUSE MESSAGES.

The following messages from the House were received:

Hall of the House of Representatives,  
Austin, Texas, April 18, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

I am directed by the House to inform the Senate of the passage of the following bills:

Substitute House bill Nos. 366, 211, 328, 30, 166, 230, 205, 178, A bill to be entitled "An Act to amend Articles 4303, 4309, 4310, 4311, 4312, 4314, 4315, 4316, Title XC, Revised Civil Statutes of the State of Texas, relating to public weighers, and providing for the appointment and election of public weighers for justice precincts, when so desired by the voters of any justice precinct, and to

regulate the fees charged by the public weighers, and regulating the bond of all public weighers, and providing for an election to abolish the public weigher's office in counties where it is not wanted, and repeal all laws and parts of laws in conflict with this act," with amendments.

Also House bill No. 334, A bill to be entitled "An Act to authorize admission to record and evidence in the courts of this State of duly certified copies of all deeds and other instruments of conveyances of land which have been duly registered or recorded in other States, but which the laws of such States require to be retained in the deed or notarial archives of such State, and to give such instruments like effect, as notice and proof, as is given by deeds executed in this State, and to declare an emergency," with amendments.

Also House bill No. 387, A bill to be entitled "An Act to authorize the city council of all cities and towns incorporated under the general laws of this State to regulate the charges and fix the rates to be charged by all water companies and all other corporations or persons engaged in supplying water or other commodities to the public, or engaged in any other public business within the limits of said cities or towns and occupying the streets and other public places for that purpose, and to prescribe reasonable rules and regulations therefor, and to protect said companies and corporations or persons from imposition," with amendments.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Austin, Texas. April 18, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House bill No. 595.

Also that the House has appointed on Free Conference Committee, on part of the House, Mr. Shannon in place of Mr. Dies, resigned; Mr. Morrow in place of Mr. Graham, resigned. The said appointments being made for the consideration of House amendments to Senate bill No. 144.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

#### IN THE SENATE.

The above reported House bills were read first time, and referred as follows:

Substitute House bill Nos. 366, 211, 328, 30, 166, 230, 205, 178, to Committee on State Affairs.

House bill No. 334 to Judiciary Committee No. 1.

House bill No. 387 to Committee on Towns and City Corporations.

#### BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

Senate bill No. 248, "An Act to reorganize the Forty-first Judicial District of Texas; to prescribe the time of holding the district court therein; to make the terms of the Thirty-fourth Judicial District in El Paso county to conform thereto; and to provide for a clerk for the District Court of the Forty-first Judicial District in said El Paso county; and empowering the district clerk of the Thirty-fourth Judicial District to empanel the grand jury for said county and giving authority to the judges of either of said two courts in said El Paso county to transfer causes from their respective courts to the other of said courts; and to repeal all laws and parts of laws in conflict herewith."

Senate bill No. 133, "An Act to prescribe the time of holding the terms of the District Court in the Thirty-sixth Judicial District of the State of Texas, and to repeal all laws or parts of laws in conflict with this act."

Senate bill No. 172, "An Act to create the office of State Purchasing Agent for the various eleemosynary institutions of the State of Texas; to define his duties, term of office, mode of qualification and compensation; to abolish the office or position of steward, quartermaster or other similar position in said institutions; to require all supplies to be purchased by said agent under competitive bids or contracts; to provide for the appointment of storekeepers or accountants in said institutions, and define the duties thereof; to make an appropriation for the salary of said Purchasing Agent; to provide for the appointment of two clerks for said Purchasing Agent, and to make appropriation for their salaries," with amendments.

#### COMMUNICATION.

The Chair had read the following communication:

LITTLE ROCK, ARK., April 18, 1899.

*To the General Assembly of Texas, Austin, Texas.*

The House of Representatives of Arkansas await with anxiety the vote of

your anti-trust bill. It tends to redeem democracy's pledges. The hearts of the masses go out to you.

HOUSE OF REPRESENTATIVES,  
By A. F. Vandiver, Speaker.

#### MOTION CALLED UP.

Senator Goss called up his motion entered on April 15, to reconsider the vote by which the following amendments, to-wit:

(1) "Amend by inserting before the word 'Pecos,' in line 20, the words 'Kimble, Tom Green.'"

(2) "Amend caption by inserting after '1877' the words 'except the counties of Kimble, Tom Green, Pecos, Presidio and El Paso.'"

(3) "Amend by inserting after the word 'acre,' in line 22, the words 'not more than four sections to one purchaser,'" were adopted to Senate bill No. 316, A bill to be entitled "An Act to amend Article 4218y, of Chapter 129, Acts of 1897, and providing for the sale of State school lands in counties organized prior to January 1, 1877, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The vote by which the amendments were adopted was reconsidered, and the amendments were withdrawn.

By Senator Goss:

"Amend by striking out all of Section 1, after the word 'only' in line 17, and inserting the following: 'Under the provisions of this chapter; and all surveys and fractions of surveys in all counties organized prior to the first day of January, 1895, which surveys are isolated and detached from other surveyed school lands, may be sold to any purchaser, except to a corporation, without actual settlement, at not less than one dollar per acre, upon the same terms as other public lands are sold under the provisions of Chapter 129, of the Acts of 1897.'"

By Senator Grinnan:

"Amend the amendment by striking out the word 'surveyed' in line 14, of the amendment, and add after the words 'school lands' in line 15, the following: 'Or other public lands.'"

The amendment to the amendment was lost.

The amendment (Goss') was then adopted.

By Senator Goss:

"Amend caption so that it shall read as follows: 'An Act to amend Article 4218y, of Chapter 129, Acts of 1897, providing for the sale of isolated and detached lands in certain counties.'"

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Goss, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—23.

Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Greer.	Stafford.
Hanger.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	Yett.
Lloyd.	

Nays—1.

Grinnan.

Present—Not voting.

McGee.

Absent.

Atlee.	Ross.
Johnson.	Sebastian.
Miller.	Stone.

The bill was read a third time, and passed by the following vote:

Yeas—21.

Burns.	McGee.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Potter.
Greer.	Terrell.
Hanger.	Turney.
James.	Wayland.
Kerr.	Yantis.
Linn.	Yett.
Lloyd.	

Nays—1.

Grinnan.

Present—Not voting.

Patterson.

Absent.

Atlee.	Ross.
Johnson.	Sebastian.
Lewis.	Stafford.
Miller.	Stone.

Senator Goss moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

On motion of Senator Greer the regular order of business was suspended to take up, on second reading,

Senate bill No. 319, A bill to be entitled "An Act to incorporate the city of Beau-



mont, to grant it a special charter, and to fix its boundaries."

The bill was read a second time.

By Senator Greer:

"Amend page 1, line 28, by striking out the words 'distance of' immediately preceding the figures '6893.'"

Adopted.

#### PRIVILEGED MOTION.

Pending further consideration of Senate bill No. 319, Senator Linn called up

Senate bill No. 228, A bill to be entitled "An Act ratifying and confirming an ordinance passed by the city council of the city of Galveston on the fourth day of February, 1899, entitled 'An Ordinance abandoning, discontinuing and closing certain streets, avenues and alleys of the city of Galveston, and authorizing and empowering Collis P. Huntington, his heirs or assigns, perpetually to construct and maintain piers on the shore of Galveston bay, within the corporate limits of the city of Galveston, upon certain specified conditions,' and conditionally relinquishing any claim the State of Texas may have to part of the property therein described," and moved that the Senate *do* concur in the House amendments thereto.

Adopted, and the House amendments were agreed to.

#### PENDING BUSINESS.

The Senate resumed consideration of Senate bill No. 319 (see above).

By Senator Greer:

"Amend page 33, Section 45, Subdivision 1, by striking out all that part of Subdivision 1, after the word 'city' on line 21, and then make Subdivision 2 read as follows:

"2. An annual tax of not exceeding twenty-five cents on each one hundred dollars valuation on all property in said city subject to taxation, for the maintenance of the public free schools and the erection of school buildings in said city, and said city of Beaumont is hereby constituted a separate and independent school district."

Adopted.

By Senator Greer:

"Amend page 33, line 23, by striking out the figure '2' and insert in lieu thereof the figure '3,' so that it will become Subdivision 3, and then strike out all of lines 23, 24, 25 and 26 to the words 'the city' and insert in lieu thereof the following:

"3. An annual tax of not exceeding fifty cents on the one hundred dollars valuation of all property within the limits of said city made taxable by law

for State and county purposes; the money raised by said taxes to be used to pay the interest and to provide the required sinking fund upon all bonds heretofore issued by said city of Beaumont, or that may hereafter be issued for the purpose of permanent public improvements, and said city is hereby authorized to issue, in compliance with Articles 918a, 918b, 918c, 918d, 918e and 918f of the Revised Civil Statutes of 1895, bonds for said purposes to bear a rate of interest not to exceed six per cent. per annum, and be sold at not less than par."

Adopted.

By Senator Greer:

"Amend the bill as follows: Add to Section 30, page 20, the following: 'Provided, that no person's property shall be taken for the purposes above named upon adequate compensation being paid or secured by a deposit of money in the manner provided by law in condemning property for railroads.'"

Adopted.

By Senator Greer:

"Amend the bill, page 26, by striking out all from the words 'do so,' line 4, to the words 'to prevent,' line 8."

Adopted.

By Senator Greer:

"Amend page 29, line 3, by striking out the word 'any,' occurring before the words 'the hands,' and strike out the word 'of,' line 4, page 29, and add after the word 'garnishment,' page 29, line 4, the words 'against the city of Beaumont.'"

Adopted.

By Senator Greer:

"Amend the bill, page 50, line 2, by striking out the word 'of.'"

Adopted.

By Senator Greer:

"Amend page 31 by striking out all of lines 1 and 2, after 'company,' and insert in lieu thereof the following, 'and it shall not be necessary to express such liability and lien in the ordinance granting such franchise to such railway company, but the same shall exist and notice shall be taken of the same without being expressed.'"

Adopted.

By Senator Greer:

"Amend page 30, line 29, by adding after the word 'company' the following, 'now occupying the streets and alleys and public places, or which may hereafter occupy the streets and alleys and public places of the city of Beaumont.'"

Adopted.

By Senator Greer:

"Amend page 31, line 10, by striking

out the word 'paying' and inserting in lieu thereof the words 'being liable to pay,' and line 11, by striking out the word 'required' and inserting in lieu thereof the word 'liable,' and further amend by adding after the word 'permitted,' line 24, page 31, the following, 'provided, that such railway companies shall not be liable to pave any streets or make any improvements except such as are required by ordinance of the city of Beaumont.'"

Adopted.

By Senator Greer:

"Amend the bill, page 28, by striking out all after the word 'office,' in line 20, to the words 'that it,' in line 24."

Adopted.

By Senator Greer:

"Amend page 48, line 20, by striking out the words 'or license.'"

Adopted.

By Senator Stafford:

"Strike out all in line 1, page 4, after the word 'residence' down to the word 'city,' in line 3."

Adopted by the following vote:

Yeas—19.

Burns.	McGee.
Davidson.	Morriss.
Dibrell.	Neal.
Gough.	Odell.
Grinnan.	Patterson.
Hanger.	Stafford.
James.	Terrell.
Lewis.	Turney.
Linn.	Wayland.
Lloyd.	

Nays—3.

Greer.	Yett.
Potter.	

Present—Not voting.

Goss.

Absent.

Atlee.	Ross.
Johnson.	Sebastian.
Kerr.	Stone.
Miller.	Yantis.

By Senator Odell:

"Substitute for Section 90: 'Section 90. This act shall take effect and be in force from and after a date after its passage, to be fixed by the qualified voters of the city of Beaumont; and for the purpose of determining such date an election shall be held in the city of Beaumont within ninety days after the passage of this act, and after thirty days notice of such election has been given, and the question submitted at such election shall be as follows: 'Shall this act take effect,' and if a majority shall be

in the affirmative then this act shall be in force from and after the date of such election.'"

Lost.

(Senator Gough in the chair.)

By Senator Odell:

"Amend line 25, page 22, by striking out the following, 'and to segregate and regulate the same.'"

By Senator Greer:

"Substitute for Senator Odell's amendment:

"Strike out in line 25, page 22, the words 'and variety shows,' and the words 'the same,' and insert in lieu of the words 'the same' where they occur the words 'variety shows.'"

Adopted.

The amendment as substituted was then adopted.

By Senator Stafford:

"Strike out the first sentence of Section 61 down to the words 'personal service.'"

Adopted.

By Senator Terrell:

"Amend page 25, lines 25 and 26, by striking out the words 'prohibit and.'"

Lost.

By Senator Burns:

"Amend by striking out on page 25, line 18, the following, to wit: 'rolling of hoops, flying of kites.'"

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—21.

Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Lewis.	Wayland.
Linn.	Yett.
Lloyd.	

Nays—1.

McGee.

Absent.

Atlee.	Ross.
Goss.	Sebastian.
Johnson.	Stone.
Kerr.	Yantis.
Miller.	

(Lieutenant-Governor Browning in the chair.)

The bill was read a third time, and passed by the following vote:

Yeas—22.

Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Lewis.	Wayland.
Linn.	Yett.

Nays—1.

Odell.

Absent.

Atlee.	Ross.
Johnson.	Sebastian.
Kerr.	Stone.
Miller.	Yantis.

Senator Greer moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

SPECIAL COMMITTEE.

The chair announced the following special committee under the resolution of Senator Davidson, adopted this morning: Senators Potter, Terrell, Turney, Lloyd, and Dibrell.

RESOLUTION.

By unanimous consent, Senator Patterson introduced the following resolution:

Be it resolved by the Senate of the State of Texas, that the Hon. J. N. Browning, President of the Senate, be and he is requested to wire President of Senate and Speaker of the House of the General Assembly of the State of Arkansas the thanks of this body for the kindly interest felt for us as expressed by telegram to this body from said assembly, read in this chamber on this forenoon.

The resolution was read a second time, and adopted.

Senator Linn moved to reconsider the vote by which the Senate concurred in the House amendments to Senate bill No. 228, and to lay that motion on the table.

Tabled.

Senator Stafford moved to adjourn until 10 o'clock tomorrow morning.

Senator Lloyd moved to adjourn until 3 o'clock this evening.

Senator Stafford's motion was adopted, and the Senate, at 12:30 p. m., adjourned.

SEVENTIETH DAY.

Senate Chamber,  
Austin, Texas, Wednesday, April 19, 1899.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yett.
Lloyd.	

Absent.

Johnson.	Sebastian.
Linn.	Stone.
Miller.	Yantis.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Stafford, the same was dispensed with.

EXCUSED.

On motion of Senator Gough, Senator Atlee was excused for non-attendance upon the Senate Monday and Tuesday on account of important business.

On motion of Senator Potter, Senator Sebastian was excused indefinitely, on account of sickness.

PETITIONS AND MEMORIALS.

By Senator Potter:

Petition from citizens of Cooke county, protesting against the proposed anti-trust law.

Read, and referred to Special Committee appointed yesterday.

By Senator Stafford:

Petition from citizens of Upshur county, asking that fire insurance companies be exempted from the operations of the proposed anti-trust law.

Read, and referred to the Special Committee.

By Senator Wayland:

Petition from citizens of Limestone county, praying that fire insurance companies be exempted from the operations of the proposed anti-trust law.

Read, and referred to the Special Committee.